

REMARKS

Claims 1, 2, 5-11, 13, 14, 17-20 and 23-27 were pending in the present application. Claim 11 was withdrawn from consideration. By virtue of this response, claims 2, 5-7, 9, 13, 14, 17-20, 23-25 and 27 have been cancelled, claim 1 has been amended, and no new claims have been added. Accordingly, claims 1, 8, 10 and 26 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any subject matter of the claims as previously presented. No new matter has been added.

Rejections under 35 U.S.C. §112

Claims 1, 2, 5-10, 13-14, 17-20 and 23-27 are rejected as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, the Examiner stated that “[c]laim 1 recites the subject matters [sic] that the recited ‘one side of the transparent substrate’ is ‘opposite to the direction of light deflected by the light reflecting layer’; but it fails to clarify definitely which side of the transparent substrate it refers to. . . .” With this communication, claim 1 has been amended to delete the language “one side of the transparent substrate” being “opposite to the direction of light deflected by the light reflecting layer” And, claim 1 has been amended to recite: “a first face and a second face, both the first face and the second face parallel to the transparent substrate wherein the first face is in contact with the transparent substrate.” This recitation is supported by the specification by Figure 3 discussed on pages 9-10. It is believed that this language particularly points out and distinctly claims the subject matter regarded as the invention. Further, with this amendment, claims 2, 5-7, 9, 13-14, 17-20, 23-25 and 27 have been cancelled and claims 8, 10 and 26 are each ultimately dependent on claim 1. Accordingly, it is believed that this rejection is overcome.

Rejections under 35 U.S.C. §103

Claims 1-2, 5-6, 8, 10, 13-14, 17-18, 20, 23, 24, and 26 insofar as being in compliance with 35 U.S.C. 112 and as being best understood in view of the claim objections above, are rejected as allegedly being unpatentable over Chu et al. ("Chu; US 2002/0117672A1) in view of Okazaki (US 5,670,797; of record) and/or Ishizaki et al. (US 2004/0051109).

With this amendment, claim 1 has been amended to recite:

a recessed section formed at a corner of the semiconductor layer adjacent to the printed substrate the recessed section formed through the light reflecting layer and a portion of the semiconductor layer to form an exposed surface of one of either the N-type semiconductor layer or the P-type semiconductor layer;
wherein a first electrode of the pair of electrodes is formed on the light reflecting layer and a second electrode of the pair of electrodes is formed on the exposed surface adjacent to the printed substrate.

This recitation is supported by Figure 3 discussed at pages 9-10 of the specification. Nowhere does Chu et al. Okazaki or Ishizaki et al. disclose or suggest a recessed section formed at a corner of the semiconductor layer adjacent to the printed substrate to form an exposed surface on which an electrode is formed adjacent to the printed substrate. Further, forming an electrode in a recessed section on the exposed surface adjacent to the printed substrate allows for easier formation of the electrode and easier connection to the printed substrate because the electrode is in close proximity to the substrate. Further, placing the electrode on the exposed surface at a corner of the semiconductor layer can increase the area of the light emitting portion in the semiconductor layer over a configuration in which a step is formed and an electrode is located on an exposed surface of the step such as shown, for example, in Figures 1A, 1B and 2 of Chu et al. and Figures 6, 7 and 28B of Ishizaki et al. Accordingly, it is believed that claim 1 is patentable over Chu et al. Okazaki or Ishizaki et al. or any hypothetical combination thereof.

Claims 2, 5-6, 13-14, 17-18, 20, 23, and 24 have been cancelled. Additionally, claims 8, 10 and 25 all depend from amended claim 1. Accordingly, it is believed that claims 8 and 10 are also patentable over Chu et al. Okazaki or Ishizaki et al. or any hypothetical combination thereof.

Claims 7, 9, 19, 25 and 27, insofar as being in compliance with 35 U.S.C. 112 as being best understood in view of the claim rejections above, are rejected as allegedly being unpatentable over Chu in view of Okazaki, as applied to claims 1-2, 5-6, 8, 10, 13-14, 17-18, 20, 23, 24 and 26, and further in view of Morita et al. ("Morita"; US 6,121,636).

With this amendment, claims 7, 9, 19, 25 and 27 have been cancelled. Accordingly it is believed that this rejection is moot.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **259052002900**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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